

Electronically Recorded

Tarrant County Texas

Official Public Records

3/30/2010 1:38 PM

D210071855

Dezmon Henderson

PGS 1 \$16.00

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

AGREEMENT TO EXTEND PRIMARY TERM

STATE OF TEXAS

COUNTY OF TARRANT

WHEREAS, on the 1st day of May, 2007, American Freightways, Inc. (also known as FedEx Freight East, Inc., and now known as FedEx Freight, Inc.), represented by Michael D. Kevitch, MD Real Estate Services, as Lessor, executed an Oil, Gas and Mineral Lease in favor of XTO Energy Inc., as Lessee, a Memorandum of Oil and Gas Lease, was recorded in Document Number 207252008, of the Deed Records of Tarrant County, Texas, covering and describing 40 acres of land, more or less, out of the David Odum Survey, Abstract No. 1184, in Tarrant County, Texas, and

WHEREAS, it is the desire of the parties hereto that the primary term of said lease be extended;

NOW, THEREFORE, the undersigned, the present owner of the oil, gas and other minerals in, on and under said land, in consideration of the sum of One Dollar and other valuable considerations cash in hand paid by XTO Energy Inc., the receipt of which is acknowledged, do hereby agree as follows:

That the primary term stipulated in paragraph 2 of said lease is now extended from three (3) years to five (5) years from the date of said lease by this Agreement To Extend Primary Term.

To effectuate the purposes and intent of the parties hereto, there is hereby leased and let unto XTO Energy Inc. all the oil, gas and other minerals in, on and under said land for and during the term of said lease as herein amended and extended, and subject to the provisions thereof. Except as herein changed, the provisions of said lease and any recorded amendment thereto shall remain in full force and effect, and are hereby ratified, adopted and confirmed the same as if incorporated herein.

IN WITNESS WHEREOF this instrument is executed on this the 23rd day of March, 2010

Michael D. Kevitch
American Freightways, Inc. (also known as FedEx Freight East, Inc., and now known as FedEx Freight Inc.)
By: Michael D. Kevitch, MD Real Estate Services

STATE OF FLORIDA }
COUNTY OF POLK }

ACKNOWLEDGMENT

This instrument was acknowledged before me on the 23rd day of March, 2010, by Michael D. Kevitch, MD Real Estate Services American Freightways, Inc. (also known as FedEx Freight East, Inc., and now known as FedEx Freight, Inc.) on behalf of said corporation.

My Commissions Expires 6-6-2012

Wanda C Jones
Notary Signature

Wanda C Jones
Notary Printed

